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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE SIDE

WRIT PETITION NO.2753 OF 2007

Zohrabai Mohd. Hanif Shaikh & Anr..Petitioners

Vs.

The Commissioner, Municipal
Corporation for the City of
Bhiwandi Nizampur & Ors. ...Respondetns

Mr. Sachin Dhakephalkar with Mr. A.S. Patil for the
Petitioners
Mr. V.P. Malwankar, AGP for Respondent No.5.
Shri R.S. Apte, for Respondent No.1.

CORAM : F.I. REBELLO &
R.M.SAVANT, JJ.
DATED : 15th June, 2007

P.C.

. Rule. Heard forthwith. The case of the petitioners is that they had sent application by courier which were received by the Respondents before the cut-off date. The contention of the Respondents is that only Applications received by Registered Post have been considered.

2. Considering the fact that the Applications were received at the highest the mode of sending the Application can be said to be an irregularity. If the petitioners otherwise satisfy the other requirements and if the Applications are received before the cut-off date the Respondents to consider all such applications which have been received by courier and which meet with the requirement in terms of the advertisement. Rule made absolute accordingly. No order as to costs.

(**F.I.REBELLO**, J)

(**R.M. SAVANT,J)**